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IN THE CLAIMS

Please AMEND claims 1, 3-5, 7-8, 14, and 19-20 and CANCEL claim 16 as provided below.

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently Amended) A method for ~~inserting~~ splicing a second compressed video stream into a first compressed video stream, the method comprising:

receiving the first compressed video stream;

determining a profile for the first compressed video stream;

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encoding a second video stream in accordance with a particular encoding scheme and ~~further with a profile similar to the profile of the first compressed video stream~~ to generate the a second compressed video stream, wherein the encoding is depends on the profile of the first compressed video stream;

~~controlling the encoding of the second video based at least in part on the profile of the first compressed video stream; and~~

~~inserting~~ splicing the second compressed video stream into the first compressed video stream to produce a spliced stream.

2. (Original) The method of claim 1, further comprising:

determining the profile for the second compressed video stream.

3. (Currently Amended) The method of claim 1, wherein the encoding of the second video is controlled such that a profile for the second compressed video stream is similar to the profile for the first compressed video stream at approximately a point in time when the second compressed video stream is ~~inserted~~ spliced into the first compressed video stream.

4. (Currently Amended) The method of claim 3, wherein the encoding of the second video is further controlled such that the profile for the second compressed video

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stream is similar to the profile for the first compressed video stream at approximately a point in time when the first compressed video stream is ~~inserted~~ spliced back into the ~~second compressed video stream~~ spliced stream.

5. (Currently Amended) The method of claim 1, wherein the ~~inserting~~ splicing includes

initially multiplexing the first compressed video stream as an output video stream;

multiplexing the second compressed video stream as the output video stream at a point in time when the inserting is to be achieved; and

splicing the second compressed video stream to the first compressed video stream.

6. (Currently Amended) The method of claim 5, further comprising:

pausing the first compressed video stream for ~~the a time that represents a duration of during which the second compressed video stream is multiplexed as the output video stream.~~ a time that represents a duration of during which the second compressed video stream is multiplexed as the output video stream.

7. (Currently Amended) The method of claim 1, further comprising:

receiving a second control signal indicative of a second time period within which the ~~inserting~~ splicing is to be performed; and

initiating the encoding of the second video in response to receiving the second control signal.

8. (Currently Amended) The method of claim 7, further comprising:

buffering the second compressed video stream prior to the ~~inserting~~ splicing.

9. (Original) The method of claim 1, wherein the second video relates to an advertisement and the first compressed video stream relates to a program video.

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10. (Original) The method of claim 1, wherein the profile for the first compressed video stream includes bit rate information related to the first compressed video stream.

11. (Original) The method of claim 10, wherein the bit rate information includes a high bit rate, a low bit rate, and a mean bit rate determined over a particular time period.

B' 12. (Original) The method of claim 10, wherein the profile for the first compressed video stream further includes video buffering verifier (VBV) buffer information used for the encoding.

13. (Original) The method of claim 1, wherein the second video is encoded in accordance with an MPEG encoding scheme.

14. (Currently Amended) A system operative to ~~insert~~ splice a second compressed video stream into a first compressed video stream, comprising:

- a profiler configured to receive the first compressed video stream and to provide a profile for the first compressed video stream;

- a real time encoder coupled to the profiler and configured to receive and encode a second video in accordance with a particular encoding scheme and further with a profile similar to the profile of the first compressed video stream to generate the second compressed video stream, and wherein the real time encoder is further configured to control the encoding of the second video based at least in part on the profile of the first compressed video stream; and

- a ~~multiplexer~~ splicer operatively coupled to the real time encoder and operative to receive the second and first compressed video streams and to ~~insert~~ splice the second compressed video stream into the first compressed video stream.

15. (Currently Amended) The system of claim 14, further comprising:

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a buffer coupled to the real time encoder and the ~~multiplexer~~ splicer and configured to receive and buffer the first compressed video stream from the real time encoder.

16. (Cancelled)

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17. (Original) The system of claim 14, wherein the profiler is further configured to receive the second compressed video stream and provide a profile for the second compressed video stream.

18. (Original) The system of claim 14, wherein the profile for the second compressed video stream includes bit rate information related to the second compressed video stream.

19. (Currently Amended) The system of claim 14, wherein the real time encoder is further configured to control the encoding of the second video such that a profile for the second compressed video stream is similar to the profile for the first compressed video stream at approximately a point in time when the second compressed video stream is ~~inserted~~ spliced into the first compressed video stream.

20. (Currently Amended) The system of claim 19, wherein the real time encoder is further configured to control the encoding of the second video such that the profile for the second compressed video stream is similar to the profile for the first compressed video stream at approximately a point in time when the first compressed video stream is ~~inserted~~ spliced back into the second compressed video stream.